



U. S. Patent and Trademark Office  
Washington, D.C. 20231  
Group 1300

FACSIMILE TRANSMISSION

*Faxed*  
*March 2 03*

DATE:

March 26 2003

TO:

(914)-993-0668

(FACSIMILE NUMBER)

Mr. Charles Rodman

(NAME)

(ORGANIZATION)

SENDER:

Melvyn Andrews

(NAME)

FAX 703-872-9067

(703) 308-

3739

(TELEPHONE NUMBER)

NUMBER OF PAGES

3

INCLUDING THIS PAGE

If you have not received all pages of this transmission, please contact the  
Examining Group as soon as possible at the above telephone number.

for PTO STAFF

[ ] IF THIS BOX IS CHECKED, DO **NOT** RETURN THIS TRANSMISSION TO THE  
SENDER.

Art Unit: 1742

## **DETAILED ACTION**

### ***Election/Restrictions***

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, Claim(s) 1 to 12, drawn to a cover gas composition.

Group II, Claim(s) 14 and 15, drawn to method of protecting molten magnesium.

Group III, Claim(s) 16, drawn to a method of extinguishing a magnesium fire.

The inventions listed as Groups I, II and III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Claim 1 is obvious in view of Dougherty, Jr et al (US 5,115,868) , which discloses a fire extinguishing composition including a fluorine containing gas (col. 2, line 65 to col. 3, line 33) which suggests the claimed cover gas composition accordingly the special technical features linking the three groups does not provide a contribution over the prior art and no single inventive concept exists.

A telephone call was made to Philip Rodman on March 26, 2003 to request an oral election to the above restriction requirement, but did not result in an election being made.

Art Unit: 1742

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvyn J. Andrews whose telephone number is 703-308-3739. The examiner can normally be reached on 8:00A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy V King can be reached on 703-308-1146. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.